

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2004:

Present

Vote

Thomas G. Shepperd, Jr., Chairman
James S. Burgett, Vice Chairman
Walter C. Zaremba
Sheila S. Noll
Kenneth L. Bowman

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION DECLARING THE NECESSITY TO ENTER UPON
AND TAKE CERTAIN EASEMENTS IN CONNECTION WITH THE
SKIMINO HILLS SEWER PROJECT

WHEREAS, it is necessary to obtain certain easements in connection with the Skimino Hills sewer project; and

WHEREAS, for various reasons, the County is not able to obtain from the owners of such property clear title to the interests in real estate necessary, or no agreement has been reached as to the consideration to be paid for the said interests; and

WHEREAS, plats of the interests in real property to be acquired have been prepared by Draper Aden Associates and appraisals of such interests have been prepared; and

WHEREAS, § 15.2-1905 C, Code of Virginia, authorizes the Board to adopt a resolution following a public hearing on the matter declaring its intent to enter and take specified properties, rights-of-way or easements for such purposes as constructing, installing, expanding, maintaining, or repairing pipelines, meter boxes, pumps, or any other appurtenances to a sewerage disposal and water system.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this ____ day of ____, 2004, that the Board finds that it is necessary for the

protection and preservation of the public health, safety and welfare, and for the timely completion of the Skimino Hills sewer project, for the County, its officers, employees and agents to enter upon and take the interests in real property described below prior to the initiation of condemnation proceedings.

BE IT FURTHER RESOLVED that the interests to be taken, and the compensation and damages, if any, offered by the County for each are the following, which interests are more particularly described on the plats attached to the Report of the County Attorney dated March 2, 2004, and incorporated herein by this reference:

Tax Map No. 2F-7-7-133

A permanent utility easement and a temporary construction easement as shown on a plat entitled "Compiled Plat Showing a Proposed Permanent 10' Utility Easement and a Proposed 5' Temporary Construction Easement across the Property of Chris R. Hudgins, et ux, Skimino Hills, Section Seven, Lot 133, Bruton Magisterial District, York County, Virginia," dated November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed 10' Permanent Utility Easement Hereby Conveyed to York County (546 sq. ft.), and a "Proposed 5' Temporary Construction Easement Hereby Conveyed to York County (194 sq. ft.)." Value offered to owner: \$447.00.

Tax Map No. 2F-4-4-102

A permanent utility easement and temporary construction easements as shown on a plat entitled "Compiled Plat Showing a Proposed 20' and 5' Temporary Construction Easement and a Proposed Variable Width Permanent Utility Easement Across the Property of William H. Fisher, et ux, Skimino Hills, Section Four, Lot 102, Bruton Magisterial District, York County, Virginia," dated June 12, 2003, and revised November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed Variable Width Permanent Utility Easement Hereby Conveyed to York County; 2125 sq. ft.," "Proposed 20' Temporary Construction Easement Hereby Conveyed to York County; 3365 sq. ft. (Total)," and a "Proposed 5' Temporary Construction Easement Hereby Conveyed to York County; 3365 sq. ft. (Total). Valued offered to owner: \$2,600.00.

Tax Map No. 2F-7-7-119

A permanent utility easement and a temporary construction easement as shown on a plat entitled "Compiled Plat Showing a Proposed 10' Permanent Utility Easement and a Proposed 5' Temporary Construction Easement Across the Property of Thomas R. Bailes, et ux, Skimino Hills, Section Seven, Lot 119, Bruton Magisterial District, York County, Virginia," dated November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed 10' Permanent Utility Easement Hereby Conveyed to York County (350 sq. ft.), and a "Proposed 5'

Temporary Construction Easement Hereby Conveyed to York County (175 sq. ft.)." Value offered to owner: \$283.00.

Tax Map No. 2F-6-6-55

A permanent utility easement and a temporary construction easement as shown on a plat entitled "Compiled Plat Showing a Proposed 20' Temporary Construction Easement and a Proposed 20' Permanent Utility Easement Across the Property of Joseph F. Keene, et ux, Skimino Hills, Section Six, Lot 55, Bruton Magisterial District, York County, Virginia," dated June 13, 2003, and revised November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed 20' Permanent Utility Easement Hereby Conveyed to York County; 759 sq. ft.," and a "Proposed 20' Temporary Construction Easement Hereby Conveyed to York County; 812 sq. ft." Value offered to owner: \$1,567.00.

Tax Map No. 2F-6-6-44

A permanent utility easement as shown on a plat entitled "Compiled Plat Showing a Proposed Variable Width Permanent Utility Easement Across the Property of John M. Finn, et ux, Skimino Hills, Section Six, Lot 43, Bruton Magisterial District, York County, Virginia," dated June 3, 2003, revised November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed Variable Width Permanent Utility Easement Hereby Conveyed to York County; 689 sq. ft." Value offered to owner: \$519.00.

Tax Map No. 2F-8-8-147

A permanent utility easement as shown on a plat entitled "Compiled Plat Showing a Proposed 20' Permanent Utility Easement Across the Property of Frank H. Schultz, et ux, Skimino Hills, Section Eight, Lot 147, Bruton Magisterial District, York County, Virginia," dated November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed 20' Permanent Utility Easement Hereby Conveyed to York County (952 sq. ft.)" Value offered to owner: \$486.00.

Tax Map No. 2F-5-5-76

A permanent utility easement and a temporary construction easement as shown on a plat entitled "Compiled Plat Showing a Proposed 20' Temporary Construction Easement and a Proposed 20' Permanent Utility Easement Across the Property of Sara M. Smith, Skimino Hills, Section Five, Lot 76, Bruton Magisterial District, York County, Virginia," dated June 4, 2003, revised November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed 20' Permanent Utility Easement Hereby Conveyed to York County; 4412 sq. ft.," and a "Proposed 20' Temporary Construction Easement Hereby Conveyed to York County; 3999 sq. ft." Value offered to owner: \$6,848.00.

Tax Map No. 2F-7-7-115

A temporary construction easement as shown on a plat entitled "Compiled Plat Showing a Proposed Temporary Construction Easement Across the Property of Jesus S. Ombac, et ux, Skimino Hills, Section Seven, Lot 115, Bruton Magisterial District, York County, Virginia," dated August 8, 2003, revised November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed 10' Temporary Construction Easement Herby Conveyed to York County; 2056 sq. ft." Valued offered to owner: \$833.00.

Tax Map No. 2F-7-7-131

A permanent utility easement and a temporary construction easement as shown on a plat entitled "Compiled Plat Showing a Proposed 20' Temporary Construction Easement and a Proposed Variable Width Permanent Utility Easement Across the Property of Charles C. Crane, Jr., et ux, Skimino Hills, Section Seven, Lot 131, Bruton Magisterial District, York County, Virginia," dated June 10, 2003, revised November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed Variable Width Permanent Utility Easement Hereby Conveyed to York County; 10942 sq. ft. (Total)," and a "Proposed 20' Temporary Construction Easement Hereby Conveyed to York County; 18808 sq. ft. (Total)" Value offered to owner: \$12,653.00.

Tax Map No. 2F-8-8-148

Permanent utility easements and a temporary construction easement as shown on a plat entitled "Compiled Plat Showing a Proposed 20' Temporary Construction Easement and Proposed 15' and 20' Permanent Utility Easements Across the Property of Stephen R. Munday, et ux, Skimino Hills, Section Eight, Lot 148, Bruton Magisterial District, York County, Virginia," dated November 7, 2003, prepared by Draper Aden Associates and designated as "Proposed 20' Permanent Utility Easement Hereby Conveyed to York County (1,036 sq. ft.), "Proposed 15' Permanent Utility Easement Hereby Conveyed to York County (2,431 sq. ft.), and "Proposed 20' Temporary Construction Easement Hereby Conveyed to York County (1,565 sq. ft.)." Value offered to owner: \$2,618.00.

Tax Map No. 2-12-3

A permanent utility easement as shown on a plat entitled "Compiled Plat Showing a Proposed Permanent Utility Easement Across the Property of Estelle B. James Estate, Bruton Magisterial District, York County, Virginia," dated November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed 20' Permanent Utility Easement Hereby Conveyed to York County (305 sq. ft.)" Value offered to owner: \$206.00.

Tax Map No. 2F-5-5-73

A permanent utility easement and a temporary construction easement as shown on a plat entitled "Compiled Plat Showing a Proposed 20' Temporary Construction Easement and a Proposed 20' Permanent Utility Easement Across the Property of Deloris W. Smith, Skimino Hills, Section Five, Lot 73, Bruton Magisterial District, York County, Virginia," dated June 15, 2003, revised November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed 20' Permanent Utility Easement Hereby Conveyed to York County; 5383 sq. ft.," and a "Proposed 20' Temporary Construction Easement Hereby Conveyed to York County; 4876 sq. ft." Value offered to owner: \$8,448.00.

Tax Map No. 2F-5-5-74

A permanent utility easement and a temporary construction easement as shown on a plat entitled "Compiled Plat Showing a Proposed 20' Temporary Construction Easement and a Proposed 20' Permanent Utility Easement Across the Property of James S. Goalder, et ux, Skimino Hills, Section Five, Lot 74, Bruton Magisterial District, York County, Virginia," dated June 13, 2003, revised November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed 20' Permanent Utility Easement Hereby Conveyed to York County; 854 sq. ft.," and a "Proposed 20' Temporary Construction Easement Hereby Conveyed to York County; 997 sq. ft." Value offered to owner: \$1,248.00.

Tax Map No. 2F-2-24

A permanent utility easement and a temporary construction easement as shown on a plat entitled "Compiled Plat Showing a Proposed 20' Temporary Construction Easement and a Proposed 10' Permanent Utility Easement Across the Property of Anita W. Saunders, Skimino Hills, Section Two, Lot 24, Bruton Magisterial District, York County, Virginia," dated June 3, 2003, revised November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed 10' Permanent Utility Easement Hereby Conveyed to York County; 1459 sq. ft.," and a "Proposed 20' Temporary Construction Easement Hereby Conveyed to York County; 7259 sq. ft." Value offered to owner: \$4,092.00.

Tax Map No. 2F-7-7-127

A permanent utility easement and a temporary construction easement as shown on a plat entitled "Compiled Plat Showing a Proposed Permanent Variable Width Utility Easement and a Proposed Variable Width Temporary Construction Easement Across the Property of Marsha G. Forrest, Skimino Hills, Section Seven, Lot 127, Bruton Magisterial District, York County, Virginia," dated November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed Permanent Variable Width Utility Easement Hereby Conveyed to York County (36 sq. ft.)," and a "Proposed Variable Width Temporary Construction Easement

Hereby Conveyed to York County (1,049 sq. ft.)" Value offered to owner: \$206.00.

Tax Map No. 2F-5-5-77

A permanent utility easement and a temporary construction easement as shown on a plat entitled "Compiled Plat Showing a Proposed 20' Temporary Construction Easement and a Proposed 20' Permanent Utility Easement Across the Property of John P. C. Moon & T. L. Gordon, Skimino Hills, Section Five, Lot 77, Bruton Magisterial District, York County, Virginia," dated June 3, 2003, revised November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed 20' Permanent Utility Easement Hereby Conveyed to York County; 501 sq. ft.," and a "Proposed 20' Temporary Construction Easement Hereby Conveyed to York County; 596 sq. ft." Value offered to owner: \$301.00.

Tax Map No. 2F-3-3-37

A temporary construction easement as shown on a plat entitled "Compiled Plat Showing a Proposed 5' Temporary Construction Easement Across the Property of Eric V. Schneider, et ux, Skimino Hills, Section Three, Lot 37, Bruton Magisterial District, York County, Virginia," dated June 3, 2003, revised November 7, 2003, prepared by Draper Aden Associates and designated as a "Proposed 5' Temporary Construction Easement Herby Conveyed to York County; 871 sq. ft." Valued offered to owner: \$192.00.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this ____ day of _____, 2004, that the Chairman of the Board of Supervisors, the County Treasurer and the County Attorney are hereby authorized and directed, for and on behalf of the County, to execute certificates to be recorded in the Office of the Clerk of the Circuit Court for York County, certifying the amounts set forth above as the fair value, and damages if any, of the interests to be taken, will be paid the owners in accordance with the provisions of State law and upon order of the Court.

BE IT STILL FURTHER RESOLVED that the County Attorney be, and he is hereby, authorized, if necessary and appropriate, at any time following the date of this Resolution, to institute condemnation proceedings in the name of the Board of Supervisors to acquire title to the interests in the property described above, including, if necessary, any other easements or restrictions that may affect the easements sought to be acquired, and to do all things necessary as a prerequisite thereto.